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Patent Application
Attorney Docket No. 97005-US-DIV1

Inventor(s): Christopher Chua et al.

Application No.: 09/933,960

Filed: August 20, 2001

Examiner: James A. Menefee

Art Unit: 2828

**Title: METHOD AND STRUCTURE FOR ELIMINATING POLARIZATION
INSTABILITY IN Laterally OXIDIZED VCSELS**

Mail Stop Amendments
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION UNDER 37 CFR §1.132

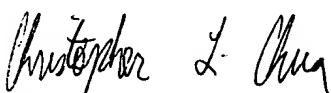
We, Dr. Christopher Chua, Dr. Robert Thornton and Mr. David Treat, hereby declare and state:

1. We are the named co-inventors of the above-identified application.
2. We also co-authored, along with Ms. Rose Donaldson, a paper entitled "Anisotropic apertures for polarization-stable laterally oxidized vertical-cavity lasers," which was published in Applied Physics Letters, Vol. 73 no. 12 p. 1631-33 on September 21, 1998 (hereinafter "the paper").
3. Rose Donaldson did not contribute to the conception of the subject matter claimed in U.S. Patent Application No. 09/933,960 entitled "Method and Structure for Eliminating Polarization Instability in Laterally Oxidized VCSELS," filed August 20, 2001. Ms. Rose Donaldson worked under our direction and supervision.

4. To the extent that the presently claimed subject matter is disclosed by the paper, this subject matter was conceived jointly by us, Dr. Robert Thornton, Dr. Christopher Chua and Mr. David Treat, and not by Rose Donaldson, thus the relevant portions of the publication originated with us.

We, the undersigned further declare that all statements made herein of our own knowledge are true and that all statements made on information and beliefs are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and further such willful statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



Christopher Chua
March 23, 2006

Date

Robert Thornton

Date

David Treat

Date

Application No. 09/933,960



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Respectfully submitted,

Christopher Chua

Date

A handwritten signature in cursive script, appearing to read "Robert L. Thornton".

Robert Thornton

April 6, 2006 _____
Date

David Treat

Date



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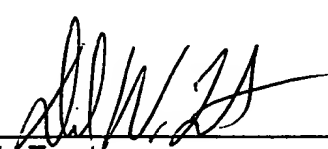
Respectfully submitted,

Christopher Chua

Date

Robert Thornton

Date



David Treat

3/23/2006
Date